

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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| Applicant(s): Cronce   | Date: October 30, 2006      |
| Serial No.: 10/072,597   | Group Art Unit: 3621        |
| Filed: 2/5/2002  | Examiner: Bayat, Bradley B. |
| Title: Method and System for Delivery of<br>Secure Software License<br>Information | Confirmation No.: 1789      |

Mail Stop Petitions  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT**

Dear Sir:

In response to the Notice of Abandonment mailed August 11, 2006, Applicant hereby petitions to withdraw the holding of abandonment.

On April 24, 2006, Applicant timely submitted a Rule 1.116 amendment in response to a Final Office Action mailed January 23, 2006 via EFS. A copy of the electronic filing receipt is attached hereto.

In July of 2006, Attorney for Applicant had a telephone conversation with the Examiner of the present application, Bradley Bayat, to discuss the status of a Power of Attorney filed in the present application as well as other applications of the Assignee for which Examiner Bayat was also examining. During this telephone conversation, Examiner Bayat indicated that although Applicant's R.1.116 amendment was received via EFS and appears in "PAIR," the Patent Office failed to properly enter the amendment, resulting in the amendment not appearing in "PALM." The Examiner explained that since the amendment did not appear in "PALM," the Examiner had no notice of the amendment, so

the application would go abandoned for failure to timely file a proper reply. It was discussed during the telephone conversation that because the Patent Office failed to enter the amendment, that Applicant could file a Petition to withdraw the Holding of Abandonment after the Notice of Abandonment was issued.

However, in the Notice of Abandonment subsequently issued August 11, 2006, Examiner Bayat merely indicated that the application went abandoned because the reply received on April 24, 2006 failed to place the application in condition for allowance. Because the Examiner failed to mention the Patent Office's failure to enter the amendment, it is believed that the Examiner's reason for abandonment is either incomplete, and/or in error, and the holding of abandonment should be withdrawn.

As evidence that the amendment was not entered by the Patent Office, Applicant has attached hereto a copy of the application's image file wrapper showing that an Advisory Action was never issued in reply to Applicant's amendment. The failure of the Examiner to issue an Advisory Action is consistent with the Examiner's explanation that the Patent Office failed to enter Applicant's timely filed amendment.

Applicant presumes that should the holding of abandonment be withdrawn, the Examiner will maintain that the Applicant's amendment does not place the application in condition for allowance. Therefore, Applicant is also submitting as a Notice of Appeal in the event that the petition is granted.

CERTIFICATE

I hereby certify that this correspondence is being facsimile or electronically transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below

Date: October 30, 2006

Signature: /Stephen G. Sullivan/  
Typed Name: Stephen G. Sullivan

Respectfully submitted,

/Stephen G. Sullivan/  
Stephen G. Sullivan  
Attorney/Agent for Applicant(s)  
Reg. No. 38329  
Telephone No.: 650 969-7474

Date: October 30, 2006

## Electronic Acknowledgement Receipt

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|--|--|
| <b>EFS ID:</b>                           | 1029365  |
| <b>Application Number:</b>               | 10072597   |
| <b>Confirmation Number:</b>              | 1789   |
| <b>Title of Invention:</b>               | Method and system for delivery of secure software license information                  |
| <b>First Named Inventor:</b>             | Paul A. Cronce   |
| <b>Correspondence Address:</b>           | SAWYER LAW GROUP LLP<br>-<br>P.O Box 51418<br>-<br>Palo Alto CA 94303<br>US 94303<br>- |
| <b>Filer:</b>                            | Stephen Grant Sullivan   |
| <b>Filer Authorized By:</b>              |  |
| <b>Attorney Docket Number:</b>           | 2401P  |
| <b>Receipt Date:</b>                     | 24-APR-2006  |
| <b>Filing Date:</b>                      | 05-FEB-2002  |
| <b>Time Stamp:</b>                       | 14:18:18   |
| <b>Application Type:</b>                 | Utility  |
| <b>International Application Number:</b> |  |

### Payment information:

|                        |    |
|------------------------|----|
| Submitted with Payment | no |
|------------------------|----|

**File Listing:**

| Document Number | Document Description                             | File Name            | File Size(Bytes) | Multi Part | Pages |
|-----------------|--|----------------------|------------------|------------|-------|
| 1               |  | 2401P_R116_Amend.pdf | 87703            | yes        | 21    |
|                 | <b>Multipart Description</b>                     |                      |                  |            |       |
|                 | <b>Doc Desc</b>                                  | <b>Start</b>         |                  | <b>End</b> |       |
|                 | Amendment After Final                            | 1                    |                  | 1          |       |
|                 | Specification                                    | 2                    |                  | 3          |       |
|                 | Claims   | 4                    |                  | 11         |       |
|                 | Applicant Arguments/Remarks Made in an Amendment | 12                   |                  | 21         |       |

**Warnings:****Information:****Total Files Size (in bytes):**

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**New Applications Under 35 U.S.C. 111**

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

**National Stage of an International Application under 35 U.S.C. 371**

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.



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|------------|-----------------------------|-------------|----|---|
| 02-05-2002 | <a href="#">Prosecution</a> | PROSECUTION | 26 |   |
| 02-05-2002 | <a href="#">Prosecution</a> | PROSECUTION | 7  |  |
| 02-05-2002 | <a href="#">Prosecution</a> | PROSECUTION | 1  |  |
| 02-05-2002 | <a href="#">Prosecution</a> | PROSECUTION | 10 |  |
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